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Legal Department, DL429  
Intellectual Property Administration  
P. O. Box 7599  
Loveland, Colorado 80537-0599

JAN 07 2005

ATTORNEY DOCKET NO. 10010326-2

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Inventor(s): Herbert F. Cattell

Serial No.: 09/919,555

Examiner: Betty F. Forman

Filing Date: July 31, 2001

Group Art Unit: 1634

Title: CHEMICAL ARRAY READING

COMMISSIONER FOR PATENTS  
P.O. Box 1450  
Alexandria VA 22313-1450

NOTICE OF APPEAL FROM THE EXAMINER TO THE  
BOARD OF PATENT APPEALS AND INTERFERENCES

Sir:

Applicant hereby appeals to the Board of Patent Appeals and Interferences from the decision of the examiner dated, August 13, 2004, rejecting the following claims 1, 2, 4-16, 45-54.

The fee for this Notice of Appeal (37 CFR 1.17(b)) is \$500.00

(complete (a) or (b) as applicable)

The proceedings herein are for a patent application and the provisions of 37 CFR 1.136(a) apply.

(a) Applicant petitions for an extension of time under 37 CFR 1.136 (fees: 37 CFR 1.17(a)-(d) for the total number of months checked below:

|                                     |              |           |
|-------------------------------------|--------------|-----------|
| <input type="checkbox"/>            | one month    | \$ 110.00 |
| <input checked="" type="checkbox"/> | two months   | \$ 450.00 |
| <input type="checkbox"/>            | three months | \$ 980.00 |
| <input type="checkbox"/>            | four months  | \$1530.00 |

The extension fee has already been filled in this application.

(b) Applicant believes that no extension of term is required. However, this conditional petition is being made to provide for the possibility that applicant has inadvertently overlooked the need for a petition and fee for extension of time.

Please charge to Deposit Account 50-1078 the sum of \$500.00. At any time during the pendency of this application, please charge any fees required or credit any overpayment to Deposit Account 50-1078 pursuant to 37 CFR 1.25.

A duplicate copy of this transmittal letter is enclosed.

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

Date of Deposit: OR

I hereby certify that this paper is being facsimile transmitted to the Patent and Trademark Office on the date shown below.

103-8729306

Date of Facsimile: 01-07-2005

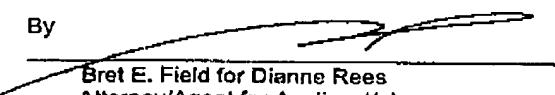
Typed Name: Donna Macedo

Signature: Donna Macedo

Respectfully submitted,

Herbert F. Cattell

By

  
Bret E. Field for Dianne Rees  
Attorney/Agent for Applicant(s)

Reg. No. 37,620

Date: 01-07-2005

Telephone No. (650) 485-5999

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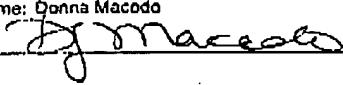
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